Appl. No. 09/921,294
Amdt. dated January 10, 2005
Reply to Office Action of October 20, 2004

PATENT

**Amendments to the Claims:**

This listing of claims will replace all prior versions, and listings of claims in the application:

**Listing of Claims:**

1    1.    (original)  A method for performance managing a service in a video and
2    data network comprising:
3            identifying one or more users receiving the service;
4            identifying a physical network transport in the video and data network for the one
5    or more users;
6            identifying a virtual network transport in the video and data network for the one
7    or more users;
8            monitoring performance data through the physical network transport and the
9    virtual network transport;
10           determining one or more threshold values for the one or more users' service; and
11           determining if the performance data violates at least one of the one or more
12   threshold values.

1    2.    (original)  The method of claim 1, further comprising issuing an alarm if
2    the performance data violates at least one of the one or more threshold values.

1    3.    (original)  The method of claim 1, wherein monitoring the performance
2    data comprises monitoring real-time data.

1    4.    (original)  The method of claim 1, wherein monitoring the performance
2    data comprises monitoring nonreal-time data.

1    5.    (original)  The method of claim 1, further comprising storing the
2    monitored performance data.

Appl. No. 09/921,294
Amdt. dated January 10, 2005
Reply to Office Action of October 20, 2004

PATENT

1          6.     (original) The method of claim 5, further comprising creating reports

2  using the stored performance data.

1          7.     (original) The method of claim 6, further comprising issuing an alarm

2  based on the reports.

1          8.     (original) The method of claim 1, further comprising identifying a set of

2  users impacted by the performance data violating the threshold values.

1          9.     (original) The method of claim 1, wherein determining the one or more

2  threshold values comprises identifying a level of service for the one or more user's service; and

3          using the level of service in determining the one or more threshold values.

1          10.    (original) The method of claim 1, wherein the service comprises a Digital

2  Subscriber Line (xDSL) service.

1          11.    (original) The method of claim 1, wherein the service comprises a Very

2  high bit rate DSL (VDSL) service.

1          12.    (original) The method of claim 1, wherein the video and data network

2  comprises a xDSL network.

1          13.    (original) The method of claim 1, wherein the video and data network

2  comprises a VDSL network.

1          14.    (original) A method for performance managing of a service in a video and

2  data network providing video and data services, wherein the network comprises a video cloud,

3  data cloud, and video/data cloud, the method comprising:

4          identifying one or more users receiving the service;

5          identifying a physical network transport for the video cloud, the data cloud, and

6  the video/data cloud for the one or more users;

Appl. No. 09/921,294
Amdt. dated January 10, 2005
Reply to Office Action of October 20, 2004

PATENT

7          identifying a logical network transport for the video cloud, the data cloud, and the

8    video/data cloud for the one or more users;

9          monitoring performance data through at least one of the video cloud, the data

10   cloud, and the video/data cloud physical and logical network transports;

11         determining one or more threshold values for the one or more users' service; and

12         determining if the monitored performance data violates at least one of the one or

13   more threshold values.


1          15.    (new) The method of claim 1, wherein the physical network transport

2    comprises shared physical network elements and physical network elements specific to the one

3    or more users.


1          16.    (new) The method of claim 15, wherein the shared physical network

2    elements comprise physical network elements shared by the one or more users and users other

3    than the one or more users.


1          17.    (new) The method of claim 1, wherein the virtual network transport

2    comprises shared virtual network elements and virtual network elements specific to the one or

3    more users.


1          18.    (new) The method of claim 17, wherein the shared virtual network

2    elements comprise virtual network elements shared by the one or more users and users other than

3    the one or more users.

1          19.    (new) A telecommunications device for performance managing a service

2    in a video and data network, the telecommunications device comprising:

3          logic to identify one or more users receiving the service;

4          logic to identify a physical network transport in the video and data network for the

5    one or more users;

6          logic to identify a virtual network transport in the video and data network for the

7    one or more users;

Appl. No. 09/921,294
Amdt. dated January 10, 2005
Reply to Office Action of October 20, 2004

PATENT

8          logic to monitor performance data through the physical network transport and the

9    virtual network transport;

10         logic to determine one or more threshold values for the one or more users'

11    service; and

12         logic to determine if the performance data violates at least one of the one or more

13    threshold values.


1         20.    (new) The telecommunications device of claim 19, further comprising

2    logic to issue an alarm if the performance data violates at least one of the one or more threshold

3    values.


1         21.    (new) The telecommunications device of claim 19, further comprising

2    logic to identify a set of users impacted by the performance data violating the threshold values.


1         22.    (new) The telecommunications device of claim 19, wherein the physical

2    network transport comprises shared physical network elements and physical network elements

3    specific to the one or more users.


1         23.    (new) The telecommunications device of claim 22, wherein the shared

2    physical network elements comprise physical network elements shared by the one or more users

3    and users other than the one or more users.


1         24.    (new) The telecommunications device of claim 19, wherein the virtual

2    network transport comprises shared virtual network elements and virtual network elements

3    specific to the one or more users.


1         25.    (new) The telecommunications device of claim 24, wherein the shared

2    virtual network elements comprise virtual network elements shared by the one or more users and

3    users other than the one or more users.